



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #11

WASHINGTON, D.C. – House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted the eleventh of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month by a bipartisan majority of the House and pending before the U.S. Senate.

PATRIOT Act Conference Report Civil Liberty Safeguard #11 – Providing that a Nondisclosure Order Does Not Automatically Attach to a National Security Letter (NSL):

Current law automatically prohibits the recipient of an NSL from disclosing receipt of it. The conference report amends the law so that a nondisclosure order does not automatically attach to an NSL. **Instead, a nondisclosure requirement will attach to an NSL only upon a certification by the government that disclosure could cause one of the harms specified in the conference report, such as endangering a witness or threatening national security.** This civil liberty safeguard does not exist in current law and was written by Rep. Jeff Flake (R-Ariz.).

Originally created by a Democrat-led Congress and signed into law by President Carter, NSLs are a long-standing tool by which the FBI and other appropriate federal law enforcement officials request, for sensitive foreign spying or international terrorism investigations, subscriber information and toll billing records of a wire or electronic communication service provider, such as a phone company or AOL.

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